

PABST PATENT GROUP



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TELEFAX

Date: August 31, 2004**Total pages:** 29
(including cover sheet)**To:** US PTO**Telephone:** **Telefax:** 703-872-9306**From:** Rivka D. Monheit**Telephone:** 404-879-2152 **Telefax:** 404-879-2160**Our Docket No.** CP 103**Client/Matter No.** 085337-00006**Your Docket No.**

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark Hirsh**Serial No.:** 10/012,202 **Art Unit:** 1615**Filed:** December 5, 2001 **Examiner:** Sheikh, Humera N.**For:** *COMPOSITIONS CONTAINING BOTH SEDATIVE AND NON-SEDATIVE ANTIHISTAMINES*

{45046199.14}

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 10/012,202 |
| Filing Date | December 5, 2001 |
| First Named Inventor | Mark Hirsh |
| Examiner Name | Humera N. Sheikh |
| Art Unit | 1615 |
| Attorney Docket No. | CP 103 |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:Deposit Account Number
Deposit Account Name

50-3129

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 Charge any additional fee(s) or any underpayment of fee(s)
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FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|------------------------|---------------|-----------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | | | |
| 1002 340 | 2002 170 | Design filing fee | | | |
| 1003 530 | 2003 265 | Plant filing fee | | | |
| 1004 770 | 2004 385 | Reissue filing fee | | | |
| 1005 160 | 2005 60 | Provisional filing fee | | | |
| SUBTOTAL (1) | | (\$ 0) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Fee from | | | | | |
|-----------------------------|----|--------|---|---|--|
| Extra Claims below Fee Paid | | | | | |
| Total Claims | 29 | -29* = | 0 | X | |
| Independent Claims | 3 | -3** = | 0 | X | |
| Multiple Dependent | | | | | |

| Large Entity | Small Entity | Fee Description |
|--------------|--------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 66 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue Independent claims over original patent |
| 1206 18 | 2206 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | (\$ 0) |

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-----------------------------------|--------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1059 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,460 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 840 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | 130.00 |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1808 180 | 1808 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 365 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | |
| *Reduced by Basic Filing Fee Paid | | SUBTOTAL (3) (\$ 130.00) | |

(Complete if applicable)

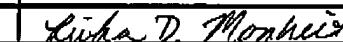
| Name (Print/Type) | Rivka D. Monheit | Registration No. (Attorney/Agent) | 48,731 | Telephone (404) 879-2152 |
|-------------------|------------------|--------------------------------------|--------|--------------------------|
| Signature | Rivka D. Monheit | | Date | August 31, 2004 |

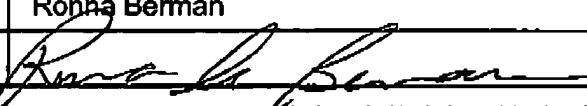
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| | | |
|--|--|------------------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number 10/012,202 |
| Total Number of Pages in This Submission | | Filing Date December 5, 2001 |
| | | First Named Inventor Mark Hirsh |
| | | Art Unit 1615 |
| | | Examiner Name Sheikh, Humera N. |
| | | Attorney Docket Number CP 103 |

| | | |
|---|---|---|
| ENCLOSURES (Check all that apply) | | |
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.62 or 1.63 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition to Correct Inventorship <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input checked="" type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Assignment by Whe-Yong Lo and Jane Hirsh to Collegium Pharmaceuticals; |
| <input type="checkbox"/> Remarks (Other Enclosures continued) 2. Statements by Jane Hirsh and Whe-Yong Lo pursuant to 37 C.F.R. 1.48 (a)(2); 3. Consent to Correct Inventorship under 37 C.F.R. 1.48(a)(5); 4. Statement Under 37 C.F.R. 3.73(b) 5. Executed Declaration (37 C.F.R. 1.63) using an Application Data Sheet 6. Supplemental Application Data Sheet | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | |
| Firm or Individual name | Rivka D. Monheit, Esq., Reg. No. 48,731 Pabst Patent Group LLP 400 Colony Square, Suite 1200, Atlanta, GA 30361 | |
| Signature |  | |
| Date | August 31, 2004 | |

| | | |
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| Typed or printed name | Ronna Berman | |
| Signature |  | Date |
| | August 31, 2004 | |

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CP 103 / 085337-00006